IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 297 OF 2005

Surendrabahadur Lallan Singh
@ Thakur ..Applicant.

V/s.

The State of Maharashtra .. Respondents.

Shri S.V. Marwadi for the Applicant.
Shri K.V. Saste, APP for Respondent- State.

CORAM : A.M.KHANWILKAR, J.
DATED : JANUARY 27,2005.

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. It is seen that the incident occurred on the spur of the moment. Only one blow has been given which was a fatal blow resulting into death of the deceased. The blow indeed was given on the head, near left eye which resulted in fracture of left temporal and parietal bone fracture of the deceased.

3. As the incident took place on the spur of moment and only one blow was administered, taking over all view of the matter, the applicant deserves to be enlarged on bail on imposing strict conditions as follows :-

(a) Applicant is enlarged on bail in connection with C.R.No. I-117/2004, registered with Kolshewadi Police Station, Kalyan on executing personal bond in the sum of Rs. 10,000/- (Rs. Ten thousand only) with two local sureties in the like amount.

(b) The Applicant shall not enter the jurisdiction of Kolshewadi Police Station during the pendency of the trial. He instead shall report to the nearest police station once in a month on Saturday between 10 a.m. to 2 p.m., besides shall furnish his latest address, where he intends to reside, to the investigating officer as well as trial court within one week from the date of release.

(c) The Applicant shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that he is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

(d) The Applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

. Ordered accordingly.

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